

# Exhibit 9

Declaration of James Bamfield  
(Nov. 22, 2023)

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*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA  
BUTTE DIVISION**

THE IMPERIAL SOVEREIGN COURT  
OF THE STATE OF MONTANA; ADRIA  
JAWORT; RACHEL CORCORAN; THE  
MONTANA BOOK COMPANY; IMAGINE  
BREWING COMPANY, LLC d/b/a  
IMAGINE NATION BREWING  
COMPANY; BUMBLEBEE AERIAL  
FITNESS; MONTANA PRIDE; THE  
WESTERN MONTANA COMMUNITY  
CENTER; THE GREAT FALLS LGBTQ+  
CENTER; THE ROXY THEATER; and  
THE MYRNA LOY,

*Plaintiffs,*

vs.

AUSTIN KNUDSEN; ELSIE ARNTZEN;  
J.P. GALLAGHER; and the CITY OF  
HELENA,

*Defendants.*

Cause No. CV 23-50-BU-  
BMM

**Declaration of  
James Bamfield,  
President of the Great Falls  
LGBTQ Center**

I, James Bamfield, declare as follows:

1. I am over 18 years of age and a resident of Great Falls, Montana.
2. I am the president of the Great Falls LGBTQ Center (“The Great Falls Center”), a nonprofit organization in Great Falls, Montana.
3. The Great Falls Center’s mission is to enhance and sustain the health and well-being of the LGBTQ+ community by providing activities, programs, and services that will empower our community to embrace and support our cultural diversity.
4. The Great Falls Center believes everyone in our city deserves dignity, respect, and equality, and that our community thrives when we uplift and support one another. The Great Falls Center works to uphold these values and protect our LGBTQ+ community members.
5. The Great Falls Center reaches more than two thousand people each year through programming, events, and resource-sharing.
6. The Great Falls Center hosts events at its primary physical location in Great Falls, as well as other locations throughout the city, including venues that appear to be subject to the restrictions imposed by House Bill 359 (“HB 359”).

7. For example, the Great Falls Center partners with local churches to host “Friendsgiving” dinner, a time of community and a welcoming, affirming meal for people who feel alienated and alone during the holidays.
8. The Great Falls Center also maintains a clothing closet that individuals may take from to dress according to their gender identity, assists community members with legal name changes and obtaining identity-consistent legal documents, and works in partnership with other community organizations to offer free HIV and STI testing and health-related community outreach.
9. The Great Falls Center hosts events open to the community that sometimes include drag performances.
10. In June 2023, the Great Falls Center hosted several Pride events, including a family-friendly daytime event at the Paris Gibson Museum of Art emceed by a drag performer and featuring age-appropriate music, costuming, and vendors. Over a thousand people attended the event.

11. Prior to that event, the venue, event organizers, and performers expressed concerns that holding the event as planned could lead to fines and liability under HB 359.
12. The Great Falls Center has been unable to determine the scope of HB 359's ambiguous restrictions and remains unsure about what HB 359 prohibits.
13. The Great Falls Center remains concerned that HB 359 appears to prohibit some of the performances it hosts and that some of its activities, including the use of the clothing closet, could trigger fines and liability under HB 359.
14. These concerns led the Great Falls Center to modify its annual Halloween party for LGBTQ+ teens and allies in 2023. Previous years' parties included an appearance by a drag queen, but we did not have one at this year's party because of HB 359.
15. HB 359 directly interferes with the Great Falls Center's mission of enhancing and sustaining the health and well-being of the LGBTQ+ community. HB 359 criminalizes a wide variety of gender-affirming self-expression that the Great Falls Center celebrates and supports.

16. As President of the Great Falls Center, I am concerned about civil and criminal liability under HB 359, both on my behalf and that of others. I am unsure of how to limit my potential liability or the liability of the Great Falls Center, its board members and volunteers, and the broader community that we serve.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 22 day of November, 2023.

  
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James Bamfield

## eSignature Details

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<b>Signer ID:</b>	<b>RSH3gx4mi4avtqE4rC9Xitau</b>
Signed by:	James Bamfield
Sent to email:	jbamfield@greatfallslgbtqcenter.org
IP Address:	184.167.244.196
Signed at:	Nov 22 2023, 5:24 pm MST